

US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: January 4, 2007
Comment Deadline: February 2, 2007
Corps Action ID #: SAW-2006-40164-241

The Wilmington District, Corps of Engineers (Corps) has received an application from the City of High Point seeking Department of the Army authorization for permanent impacts to 0.35-acres of jurisdictional wetlands, 129 linear feet of perennial streams, 611 linear feet of intermittent streams exhibiting important aquatic functions, and 1,372 linear feet of intermittent stream channel not exhibiting important aquatic functions. The impacts listed above are associated with the expansion of the Kersey Valley Landfill near High Point, Guilford County, North Carolina.

Specific plans and location information are described below and shown on the attached plans. This Public Notice and all attached plans are also available on the Wilmington District Web Site at www.saw.usace.army.mil/wetlands

Applicant:

City of High Point
Attn: Strib Boynton, City Manager
211 South Hamilton Street
High Point, North Carolina 27261

Agent:

EcoLogic Associates, P.C.
4321-A. S. Elm-Eugene Street
Greensboro, NC 27406

Authority

The Corps will evaluate this application and decide whether to issue, conditionally issue, or deny the proposed work pursuant to applicable procedures of Section 404 of the Clean Water Act

Location

The proposed project site is located in the southeast corner of the intersection of Kivett Drive and Kersey Valley Road at street address 3748 East Kivett Drive, High Point, North Carolina. The limits of the site are East Kivett Drive to the north, Jackson Lake Road to the west, and an unnamed tributary of Richland Creek to the south. Coordinates

(in decimal degrees) for this site are 35.9532° N, 79.9279° W. The project site contains unnamed streams channels and adjacent wetlands which drain to Richland Creek in the Cape Fear River Basin (8-Digit Cataloging Unit of 03030003).

Existing Site Conditions

The proposed site is across Kersey Valley Road from the existing landfill and is within property currently owned by the City of High Point. The proposed project site has been previously used as a stockpile and staging area for soil, concrete, and other materials, and as a borrow area for the active landfill cells.

The proposed site contains unnamed perennial streams running along the south and southeast property lines. The western portion of the property contains an intermittent important/perennial stream with a small adjacent jurisdictional wetland and an existing non-jurisdictional sediment basin. The eastern portion of the property contains an intermittent stream not exhibiting important aquatic functions and four low-quality adjacent jurisdictional wetlands.

A U.S. Army Corps of Engineers (Corps) jurisdictional determination has been completed and verifies the aquatic features stated above.

Applicant's Stated Purpose

The project purpose for the proposed activity is to expand the current Kersey Valley Landfill to serve the public solid waste needs in High Point, Guilford County, North Carolina.

Project Description

The existing Kersey Valley Landfill has obtained two previous Section 404 permits authorizing 7.6-acres of impacts to Waters of the U.S. The current landfill is expected to reach capacity in 2008. The application for the proposed facility expansion includes a request for permanent impacts to 0.35-acres of jurisdictional wetlands, 129 linear feet of perennial streams, 611 linear feet of intermittent streams exhibiting important aquatic functions, and 1,372 linear feet of intermittent stream channel not exhibiting important aquatic functions. The proposed expansion would extend the life of the landfill by an additional 10.3 years.

The project proposal entails grading large areas to form a stable base for filling and proper gradient for liquids collection and management. Once this has been completed, placement of a multi-layered liner and leachate collection system would precede placement of solid waste. Once finished landfill grades are achieved following placement of sequential layers of waste, a multilayered final cover system would be placed over the landfill to contain the waste in perpetuity, contain waste decomposition by-products, control stormwater, inhibit erosion, and prevent the intrusion of water into the waste.

To mitigate for permanent impacts to jurisdictional wetlands and streams, the applicant has proposed payment into the North Carolina Ecosystem Enhancement Program (NCEEP).

Other Required Authorizations

This notice and all applicable application materials are being forwarded to the appropriate State agencies for review. The Corps will generally not make a final permit decision until the North Carolina Division of Water Quality (NCDWQ) issues, denies, or waives State certification required by Section 401 of the Clean Water Act (PL 92-500). The receipt of the application and this public notice combined with appropriate application fee at the North Carolina Division of Water Quality central office in Raleigh will constitute initial receipt of an application for a 401 Water Quality Certification. A waiver will be deemed to occur if the NCDWQ fails to act on this request for certification within sixty days of the date of the receipt of this notice in the NCDWQ Central Office. Additional information regarding the Clean Water Act certification may be reviewed at the NCDWQ Central Office, 401 Oversight and Express Permits Unit, 2321 Crabtree Boulevard, Raleigh, North Carolina 27604-2260. All persons desiring to make comments regarding the application for certification under Section 401 of the Clean Water Act should do so in writing delivered to the North Carolina Division of Water Quality (NCDWQ), 1650 Mail Service Center, Raleigh, North Carolina 27699-1650 Attention: Ms Cyndi Karoly by January 24, 2007.

Essential Fish Habitat

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The Corps' initial determination is that the proposed project will not adversely impact EFH or associated fisheries managed by the South Atlantic or Mid Atlantic Fishery Management Councils or the National Marine Fisheries Service.

Cultural Resources

The Corps has consulted the latest published version of the National Register of Historic Places and is not aware that any registered properties, or properties listed as being eligible for inclusion therein are located within the project area or will be affected by the proposed work. Presently, unknown archeological, scientific, prehistoric, or historical data may be located within the project area and/or could be affected by the proposed work.

Endangered Species

The Corps has reviewed the project area, examined all information provided by the applicant and consulted the latest North Carolina Natural Heritage Database. Based on available information, the Corps has determined pursuant to the Endangered Species Act of 1973, that the proposed project will have no effect on federally listed endangered or threatened species or their formally designated critical habitat.

Evaluation

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values (in accordance with Executive Order 11988), land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving the discharge of dredged or fill materials in waters of the United States, the evaluation of the impact of the activity on the public interest will include application of the Environmental Protection Agency's 404(b)(1) guidelines.

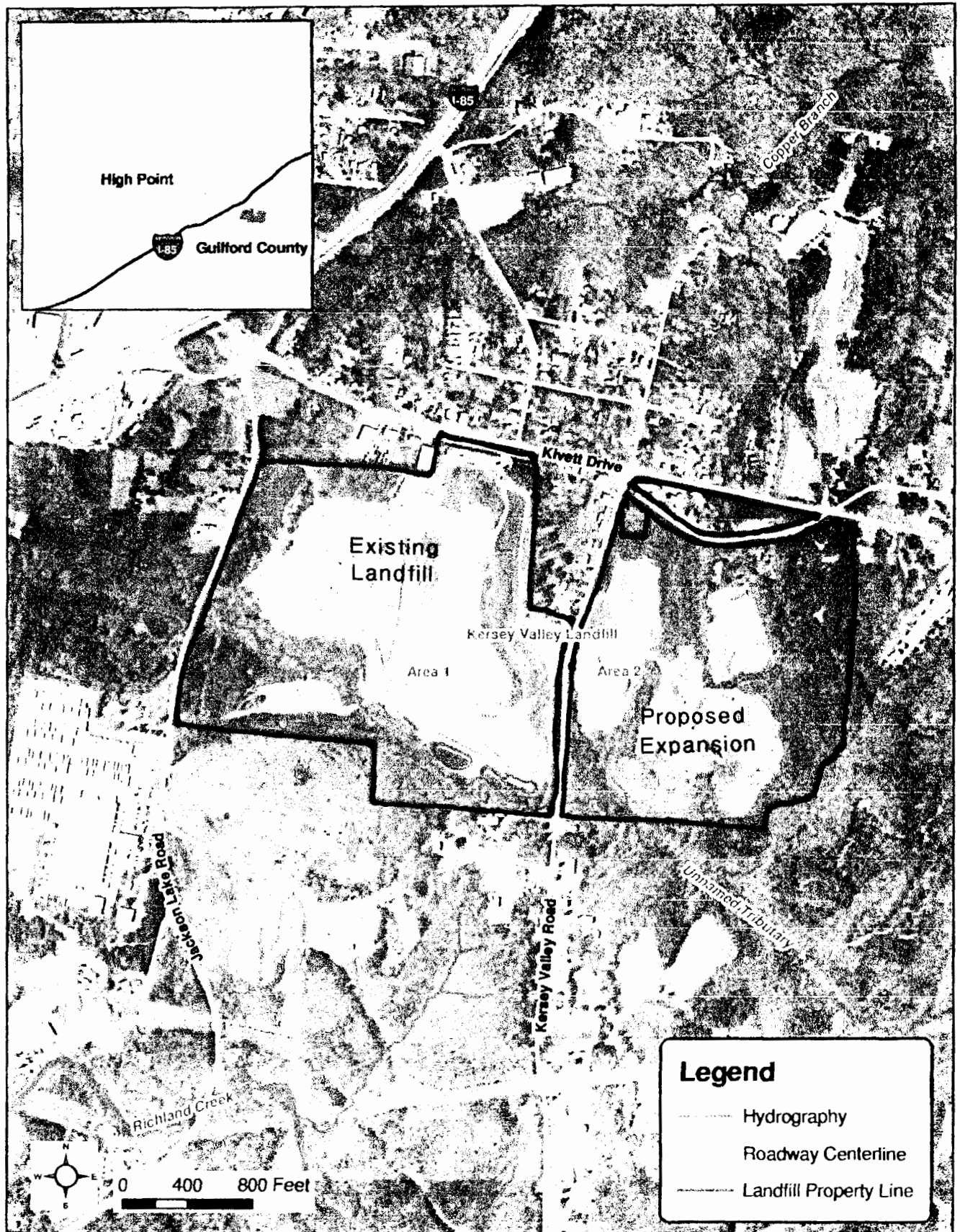
Commenting Information

The Corps of Engineers is soliciting comments from the public; Federal, State and local agencies and officials, including any consolidate State Viewpoint or written position of the Governor; Indian Tribes and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

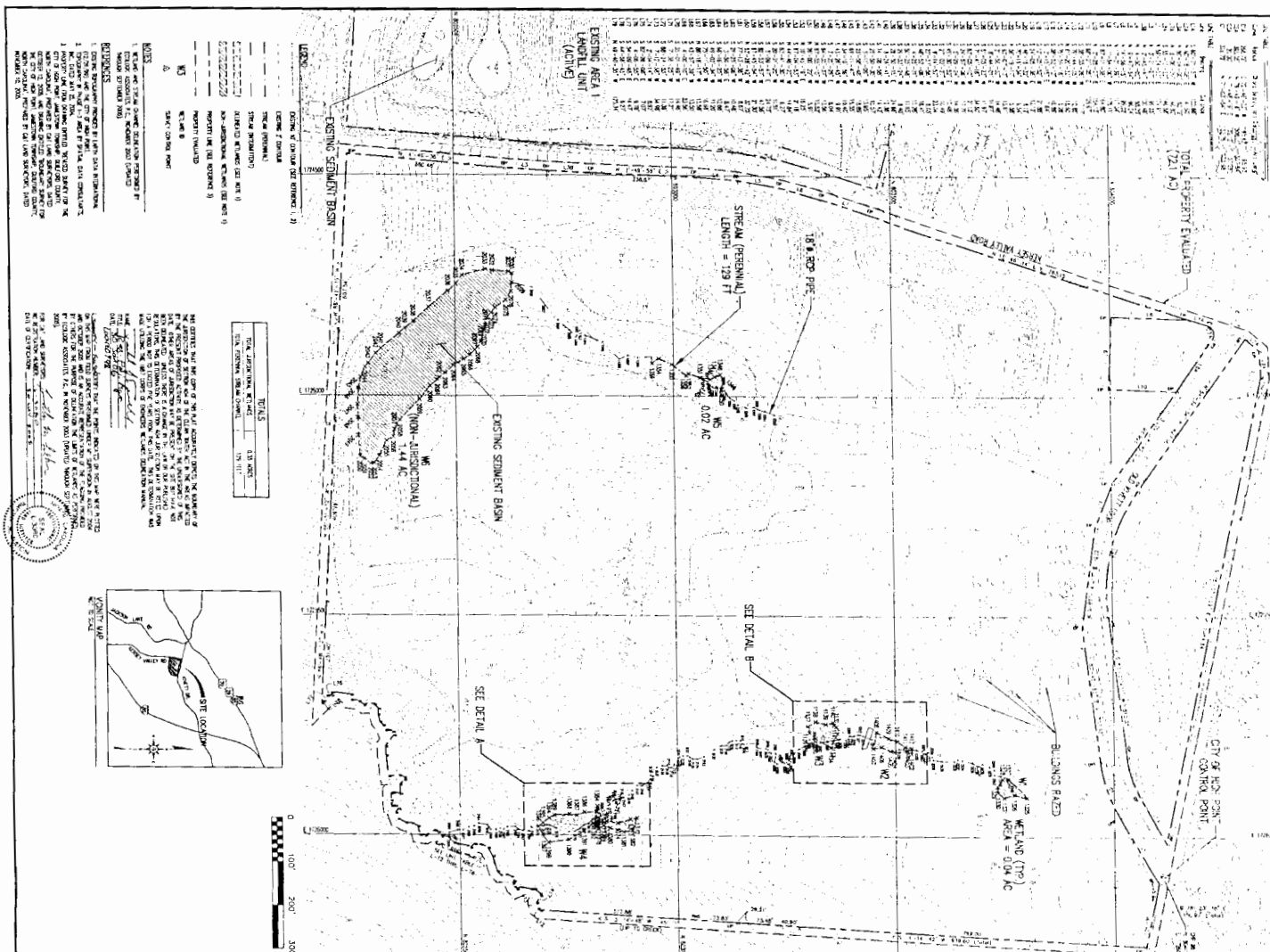
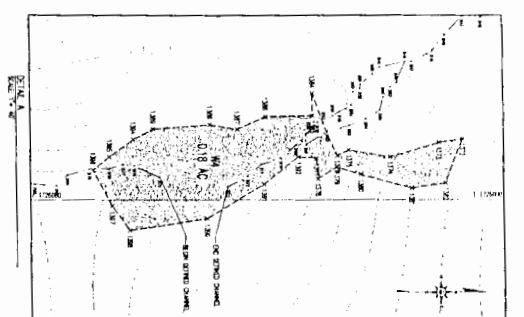
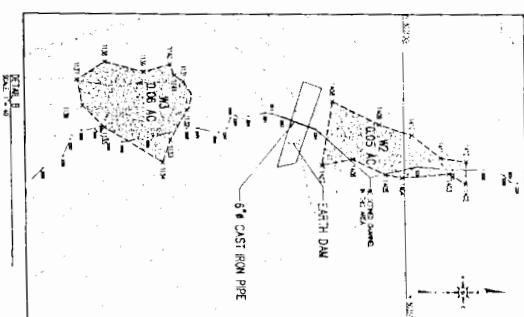
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a

public hearing shall be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

Written comments pertinent to the proposed work, as outlined above, will be received by the Corps of Engineers, Wilmington District, until 5pm, February 2, 2007. Comments should be submitted to Monte Matthews, Raleigh Regulatory Field Office, 6508 Falls of Neuse Road, Suite 120, Raleigh, North Carolina 27615.



Kersey Valley Landfill - Vicinity Map

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Overall Site Plan

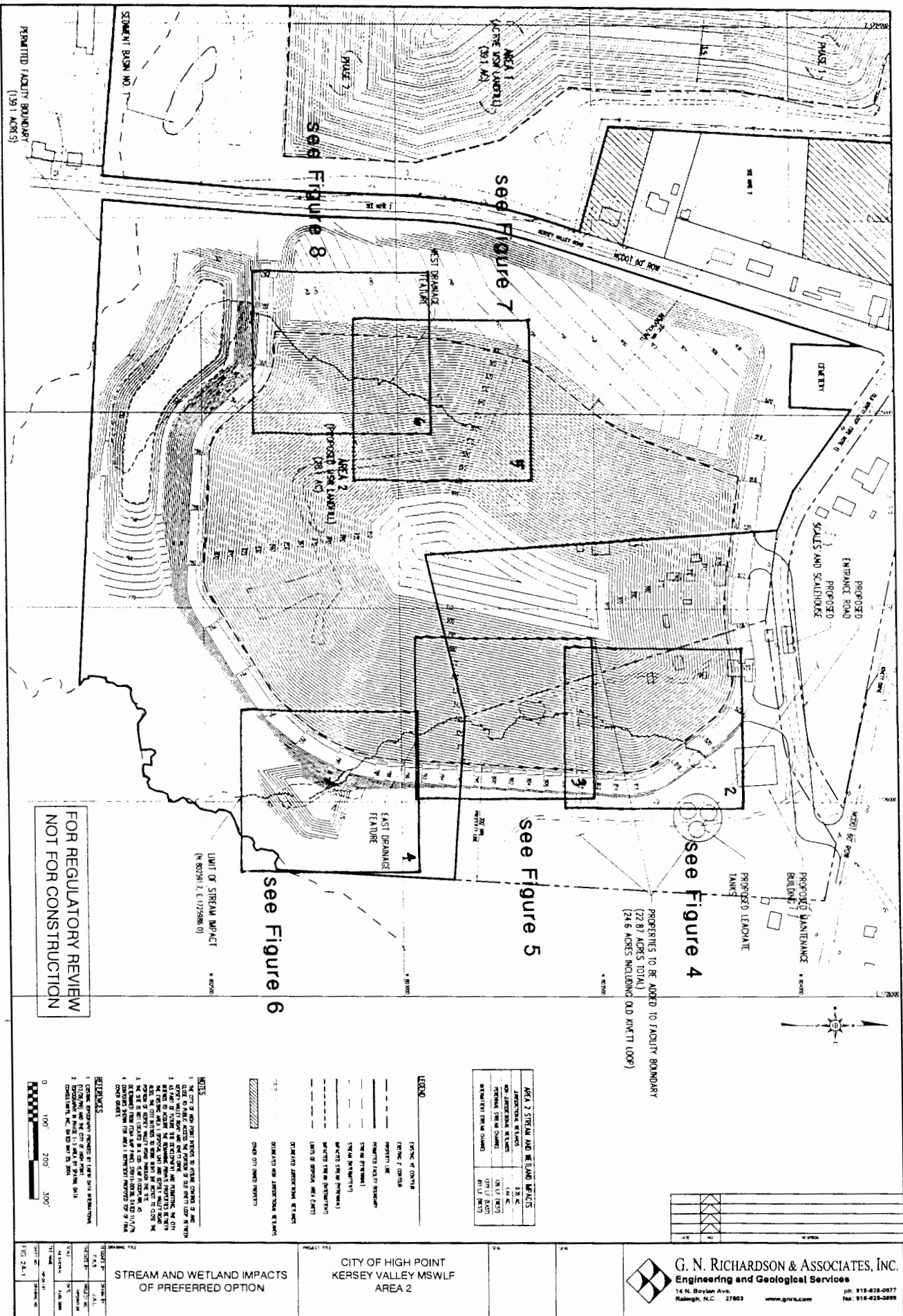
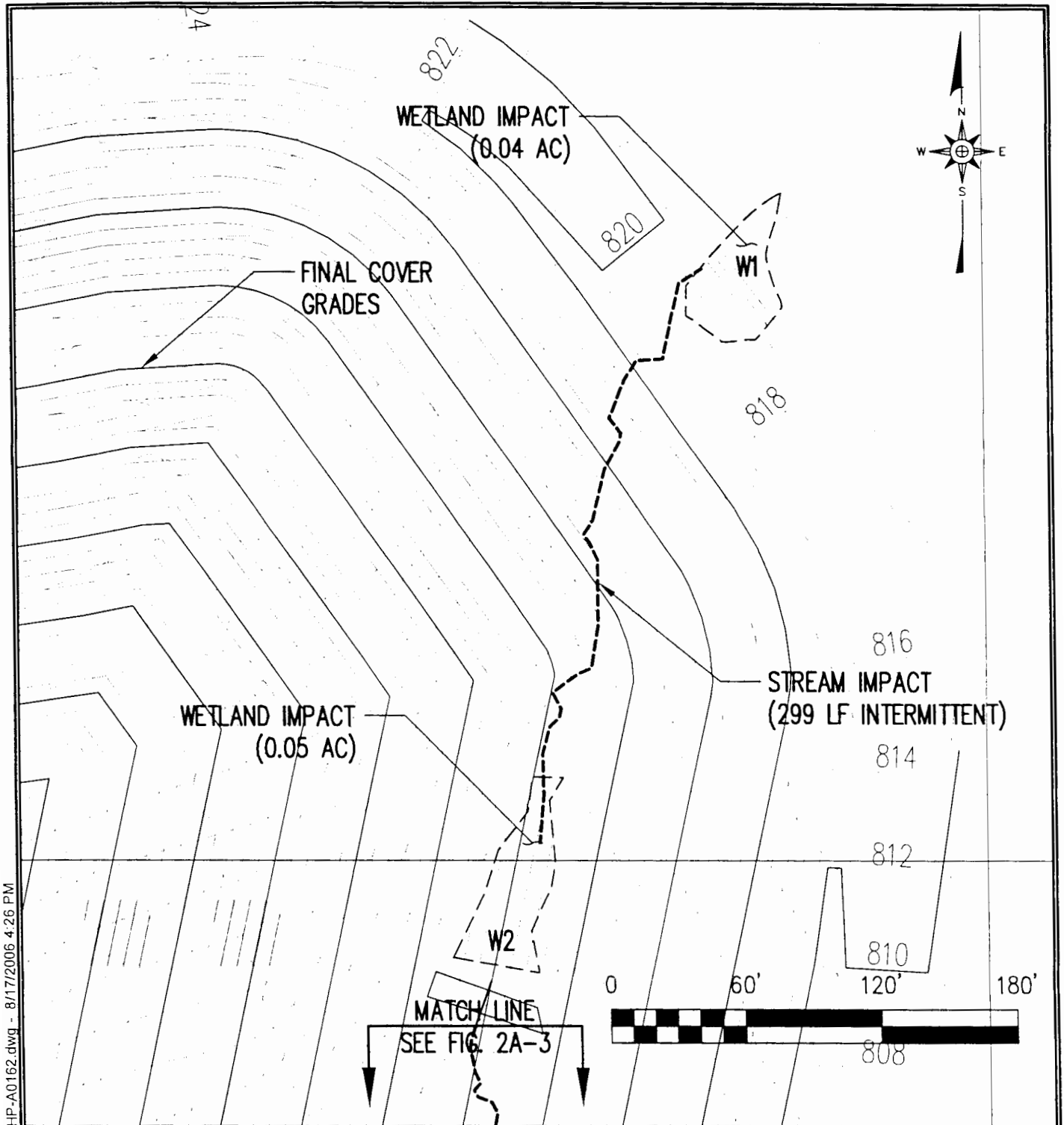


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**CITY OF HIGH POINT
KERSEY VALLEY MSWLF**

G. N. RICHARDSON & ASSOCIATES, INC.
Engineering and Geological Services

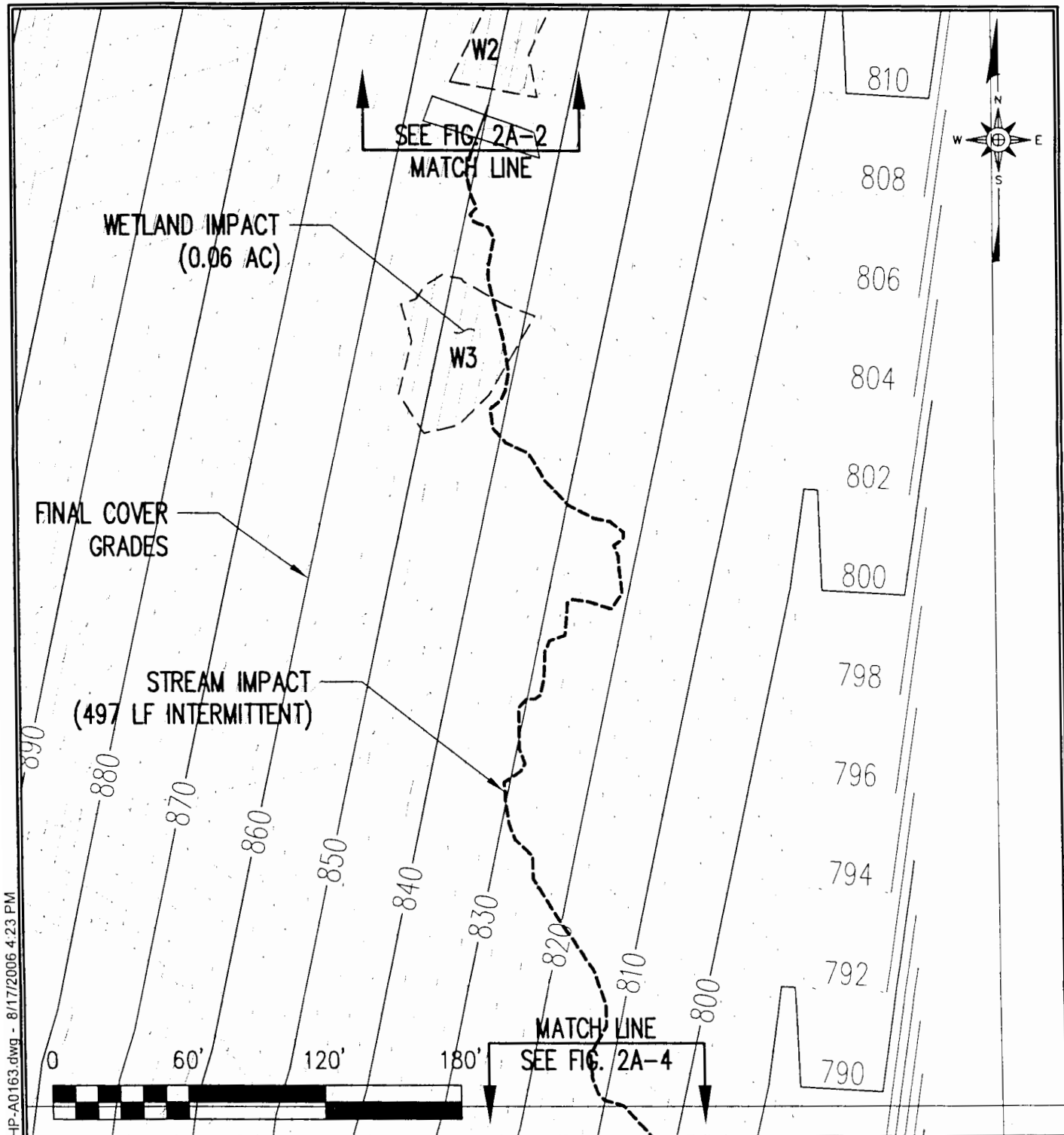
14 N. Boylan Ave.
Raleigh, N.C. 27603

www.gnra.com

ph: 919-828-0577
fax: 919-828-3899

SCALE:	DRAWN BY:	CHECKED BY:	DATE:	PROJECT NO.	FIGURE NO.	FILE NAME
AS SHOWN	J.A.L.	P.K.S.	Aug. 2006	HPOINT-26		HP-A0162

Figure 4 of 8



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Figure 5 of 8

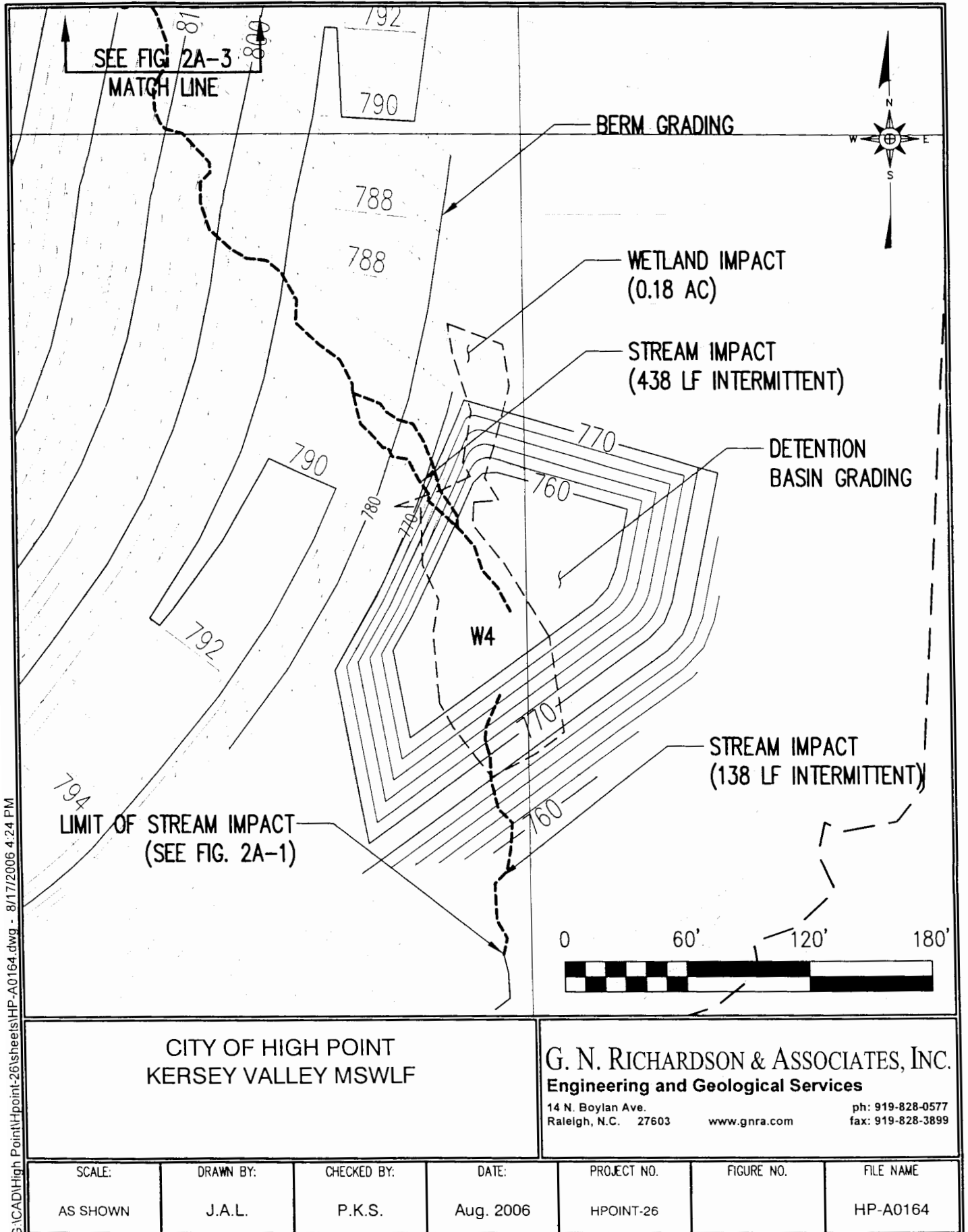
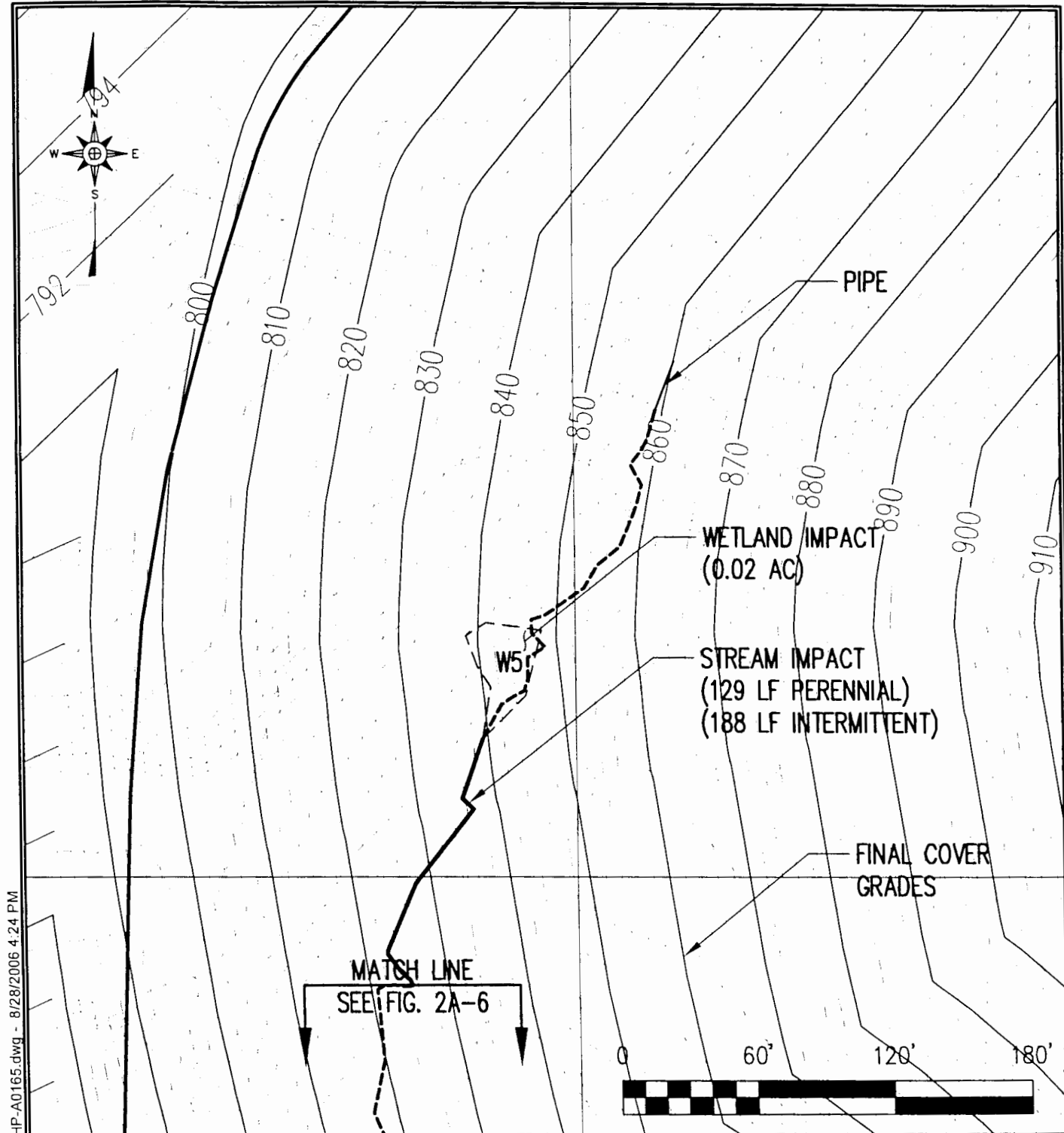


Figure 6 of 8



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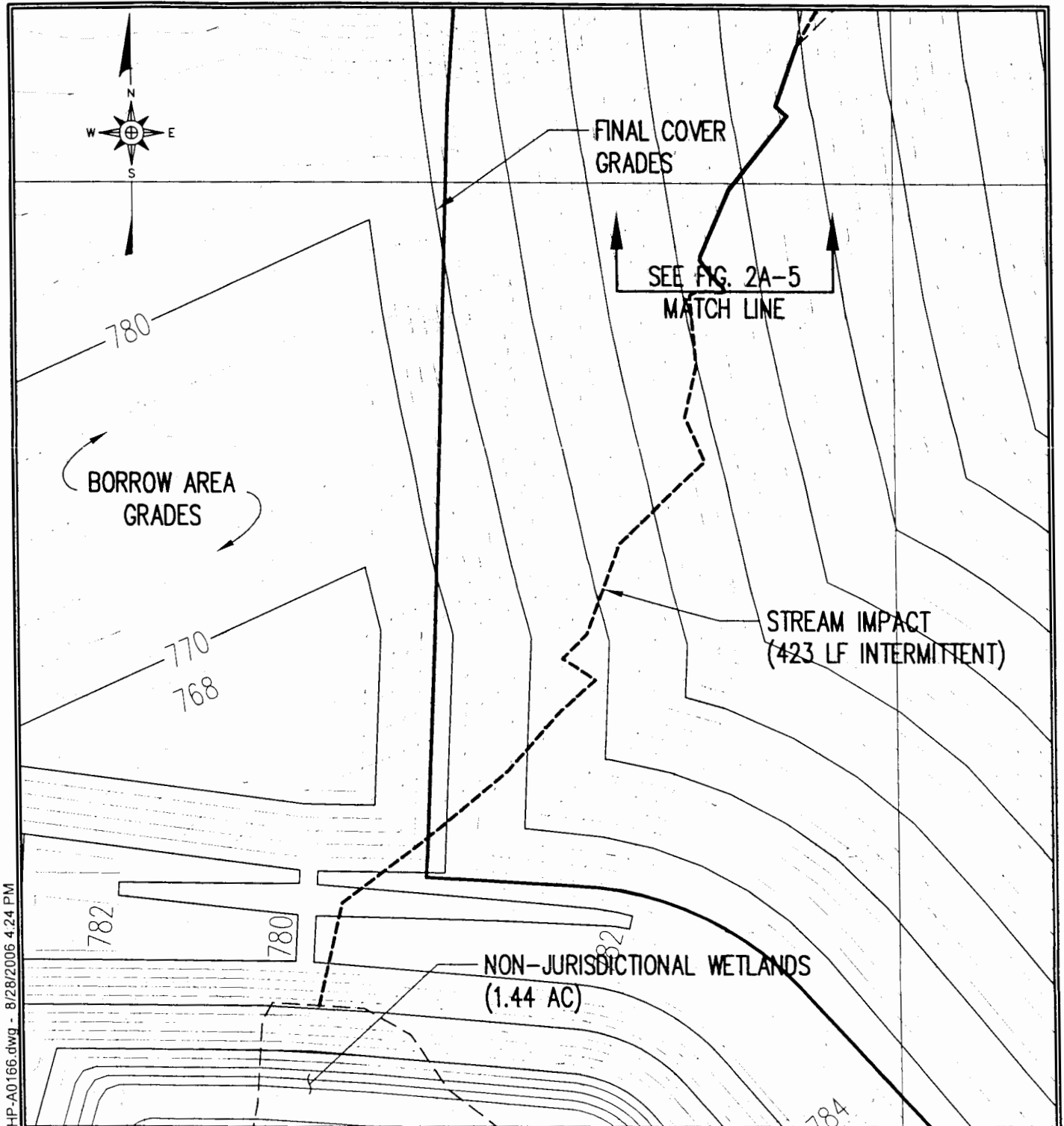
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HPOINT-26

FIGURE NO.

FILE NAME

HP-A0165



CITY OF HIGH POINT
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DATE:

Aug. 2006

PROJECT NO.

HPOINT-26

FIGURE NO.

FILE NAME

HP-A0166

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